

**PATTERSON &
SHERIDAN, LLP**
ATTORNEYS AT LAW

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846

**RECEIVED
CENTRAL FAX CENTER
FEB 06 2006**

FACSIMILE COVER SHEET

DATE: 2/6/2006
FILE NO: ZIMR/0015
TO: USPTO
FAX NO: 571-273-8300
COMPANY: USPTO
FROM: Keith M. Tackett
PAGE(S) with cover: 9
ORIGINAL TO FOLLOW? ☐ YES ☒ NO

REQUEST FOR CORRECTION OF ERROR ON FILING RECEIPT

TITLE: COLOR COATED LAYER-BY-LAYER MICROCAPSULES
SERVING AS COMBINATORY ANALYSIS LIBRARIES AND AS
SPECIFIC OPTICAL SENSORS
U.S. SERIAL NO.: 10/522,998
FILING DATE: August 11, 2005
INVENTOR: Daehne, et al.
EXAMINER: Unknown
GROUP ART UNIT: 1645
CONFIRMATION NO.: 4632

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

434852_1.DOC

PATENT
Atty. Dkl. No. ZIMR/0015

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Daehne, et al.

Serial No.: 10/522,998

Filed: August 11, 2005

Confirmation No.: 4632

For: COLOR COATED LAYER-BY-LAYER MICROCAPSULES SERVING AS COMBINATORY ANALYSIS LIBRARIES AND AS SPECIFIC OPTICAL SENSORS

Group Art Unit: 1645

Examiner: Unknown

RECEIVED
CENTRAL FAX CENTER

FEB 06 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**CERTIFICATE OF FACSIMILE
TRANSMISSION UNDER 37 CFR 1.8**

I hereby certify that this correspondence and the documents referred to as attached therein are being facsimile transmitted to the U.S. Patent and Trademark Office to the fax number indicated by the Examiner, namely, fax number 571-273-8300 to the attention of the named Examiner, on the date below.

2/6/06

Signature

Dear Sir:

REQUEST FOR CORRECTION OF ERROR ON FILING RECEIPT

The Filing Receipt for the above-referenced application contains an error regarding the Drawings, Total Claims and the Power of Attorney.

The Filing Receipt recites the Drawings as "10" and should read "9".

The Filing Receipt recites the Total Claims as "6" and should read "25".

The Power of Attorney reads "Keith Tackett—32008" and should also include the following:

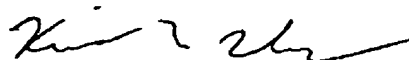
**B. Todd Patterson
Donald Verplancken
Eddy Song
William B. Patterson**

Registration No. 37,906
Registration No. 33,217
Registration No. 43,144
Registration No. 34,102

Attached is a copy of the Filing Receipt with the above changes noted thereon. Also enclosed is a copy of the Combined Declaration and Power of Attorney as

previously submitted. Please correct this error or notify the applicants of the reasons for denying the request.

Respectfully submitted,



Keith M. Tackett
Registration No. 32,008
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Agent for Applicant(s)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/522,998	08/11/2005	1645	1390	ZIMR/0015	9 10 258		1

CONFIRMATION NO. 4632

Moser Patterson & Sheridan
Zimmerman & Partner
Patent Counsel
Suite 1500 3040 Post Oak Boulevard
Houston, TX 77056-6582

FILING RECEIPT



OC000000017912457

Date Mailed: 01/27/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Lars Daehne, Berlin, GERMANY;
Barbara Baude, Caputh, GERMANY;
Andreas Voigt, Lindenst, GERMANY;

Keith Tackett-32008

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP03/08376 07/29/2003

Foreign Applications

GERMANY 10236409.5 08/02/2002
GERMANY 10315846.4 04/02/2003

Projected Publication Date: 05/04/2006

Non-Publication Request: No

Early Publication Request: No

Title

Color coated layer-by-layer microcapsules serving as combinatorial analysis libraries and as specific optical sensors

Preliminary Class

435

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

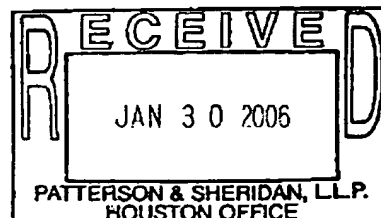
This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

FILE NUMBER ZINR/0015
FORWARDED TO JAN
REVIEWED ONLY _____
REVIEWED/DOCKETED GF
REVIEWED _____
PREVIOUSLY DKT _____



ATTY. DKT. NO. ZIMR/0015

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
☐ divisional
☐ continuation
☐ continuation-in-part

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COLOR-CODED LAYER-BY-LAYER MICROCAPSULES AS COMBINATORIAL ANALYSIS LIBRARIES AND AS SPECIFIC OPTICAL SENSORS**SPECIFICATION IDENTIFICATION**

The specification of which:

- ☐ is attached hereto
☐ was filed on _____, under Serial No. _____, executed on even date herewith; or
☐ Express Mail No.(as Serial No. not yet known)
and was amended on _____ (if applicable)
☒ was described and claimed in PCT International Application No. PCT/EP03/08376
Internationally filed on July 29, 2003 and as amended under PCT Article 19 on January 23, 2004, May 28, 2004 and October 5, 2004.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with

Title 37, Code of Federal Regulations, 1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent, and

- ☒ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR 1.98.

PRIORITY CLAIM (35 U.S.C. 119)

I hereby claim foreign priority benefits under Title 35, United States Code, 119, of any provisional or foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any provisional or foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- ☐ No such applications have been filed.
- ☒ Such applications have been filed as follows:

A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 U.S.C. 119

<u>Country/PCT</u>	<u>Application No</u>	<u>Date Filed</u>	<u>Priority Claimed</u>
DE	102 36 409.5	August 2, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
DE	103 15 846.4	April 2, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
			<input type="checkbox"/> Yes <input type="checkbox"/> No

B. All foreign application(s), if any, filed more than 12 mos. (6 mos for design) prior to this U.S. application

Country:
Application No:
Filing date:

C. U.S. Provisional Application filed within 12 months prior to this application

<u>Serial No.</u>	<u>Filing Date</u>
-------------------	--------------------

PRIORITY CLAIM (35 U.S.C. 120)

I hereby claim the benefit under Title 35, United States Code, 120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, 112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

- ☒ No such applications have been filed
- ☐ Such applications have been filed, as follows:

<u>Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
		<u>Patented</u> <u>Pending</u> <u>Abandoned</u>

POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

B. Todd Patterson
 Raymond R. Moser, Jr.
 Keith M. Tackett
 Donald Verplancken
 Eddy Song
 William B. Patterson

Registration No. 37,906
 Registration No. 34,682
 Registration No. 32,008
 Registration No. 33,217
 Registration No. 43,144
 Registration No. 34,102

Send correspondence to:

Direct telephone calls to:

Patent Counsel
 MOSER, PATTERSON & SHERIDAN, L.L.P.
 Zimmermann & Partner
 3040 Post Oak Boulevard, Suite 1500
 Houston, TX 77056

B. Todd Patterson
 MOSER, PATTERSON & SHERIDAN, L.L.P.
 (713) 623-4844

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of sole or first inventor: LARS DAEHNE

Inventor's signature: Lars Dähne Date: 15.03.05
 Residence: Stillerzeile 3. 12587 Berlin, GERMANY

Post Office Address: Same as above

Country of Citizenship: DE

Full name of sole or first inventor: BARBARA BAUDE

Inventor's signature: Barbara Baudé Date: 15.03.05
 Residence: Schwielowsestr. 84c, 14548 Caputh, GERMANY

Post Office Address: Same as above

Country of Citizenship: DE

Full name of sole or first inventor: ANDREAS VOIGT

Inventor's signature: A. Voigt Date: 15.03.05
 Residence: ~~Amenschoopstr. 67, 10054 Berlin, GERMANY~~
Lindenstr. 29, 12621 Berlin

Post Office Address: Same as above

Country of Citizenship: DE

(Declaration ends with this page)